

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN THE MATTER:

NELITZA TORRES ORTIZ
Debtor(s)

PRESTAMAS
Movant

CASE NO.: 19-06358 (MCF)

CHAPTER 13

(X) An action against the State
under Title 11 USC §1307(c) (1) and
§1307(c) (6), Title 11 USC §1326

MOTION TO DISMISS

TO THE HONORABLE COURT:

Comes now Movant, **PRESTAMAS**, through its undersigning attorney, and very respectfully ALLEGES, STATES and PRAYS:

1. This Honorable Court have jurisdiction under Title 28 USC §1334, and venue under Title 28 USC §1408, and particularly regarding this matter under Title 11 USC §1307(c) (1), (4) and (6), on Conversions and Dismissals, and Title 11 USC §1326, on Payments.

2. Debtor filed a bankruptcy case under chapter 13 back on October 31, 2019. See, Bkcy Dck no 1

3. MOVANT, standing to address this court is ascertained as filed an unsecured proof of claim, to a small loan for \$9,092.17, under account no 6464. See, Clm Reg. 1.

4. As of to January 10, 2022, debtor(s) already appear to have the following installments owed to the chapter 13 Trustee: \$1,340.00 for two (2) months in arrears. See, Attachment A.

5. Under the terms of the confirmed plan dated October 29, 2020, debtor(s) should have started to make continues payments since November 20, 2020, and as evidenced herein, the debtor(s) have failed to do so. See, Bkcy Dck no 1, 54 and 58.

6. Pursuant to the Service Members Civil Relief Act: - the data banks of the Department of the Defense Manpower Data Center confirmed that the debtor(s) is (are) not member(s) of the Uniformed Services (US Armed Forces, Navy, Marine Corps, Air Force, NOAA, Public Health, and Cost Guard.) See, Attachment B.

For the reasons stated above, MOVANT respectfully request from this Court to enter an order dismissing the present case pursuant Title 11 USC §1307(c)(1) on ~~Unreasonable delay by debtor that is prejudicial to Creditors, (5) denial of confirmation of a plan under 1325 of this title and denial of a request made~~

Case no. 19-06358 [MCF]
PRESTAMAS
Page 2 of 2

2

~~for additional time for filing another plan or a modification of a plan, 11 USC §1326 (a) (1) Unless the court orders otherwise, the debtor shall commence making the payments proposed by a plan within 30 days after the plan is filed, payments not later than 30 days after the date of the filing of the plan or the order for relief, whichever is earlier, and (6) on Material default by the debtor with respect to a term of a confirmed plan, and Title 11 USC §1324 (b) on hearing of confirmation that shall to be held not earlier than 20 days and not later than 45 days after the date of the meeting of creditors under section 341 (a).~~

NOTICE

Within thirty (30) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this motion has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, this motion will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.
Puerto Rico Local Bankruptcy Rule 9013-1(h)

In San Juan, Puerto Rico, on January 18, 2022

CERTIFICATE OF SERVICE

I hereby certify that a copy was served by CM/ECF at the authorized address: - to all creditors, - to Atty. Alejandro Oliveras // Atty. José Carrión Morales, as Chapter 13 Trustee, and - to the attorney of the debtor(s) ROBERTO FIGUERO CARRASQUILLO, and to debtor(s) by regular mail at the address on record, NELITZA TORRES ORTIZ, at 5 MUÑOZ RIVERA ST., CIDRA, PUERTO RICO 00739.

BY: /s/ María M. Benabe Rivera
María M. Benabe Rivera
Attorney for Movant - US - DC 208906
Maricarmen Colón Díaz - US - DC 211410
FIRSTBANK Puerto Rico
Centro de Servicios al Consumidor - Código 248
1130 Muñoz Rivera Ave., Rio Piedras, P R
PO Box 9146, San Juan, PR 00908-0146
maria.benabe@firstbankpr.com
(787)729-8135 / (787)729-8276 / [Rev.1/2022]

First Bank

Analysis Sheet to Determine Arrears to Trustee

IN RE : NELITZA TORRES ORTIZ Case # 19-06358 MCF

Date petition filed: 31-Oct-19

First payment due date : 30-Nov-19

According to Plan Dated on: 19-Oct-30

Monthly Payment of :	\$	500.00	\$	-	\$	529.00	\$	670.00	\$	-
----------------------	----	--------	----	---	----	--------	----	--------	----	---

Term :	5	4	2	49	0
--------	---	---	---	----	---

Pass Term:	5	4	2	15	0
------------	---	---	---	----	---

Should Have Paid In:	\$	2,500.00	\$	-	\$	1,058.00	\$	10,050.00	\$	-
----------------------	----	----------	----	---	----	----------	----	-----------	----	---

Total Paid Into Plan:	\$	2,500.00	\$	-	\$	1,058.00	\$	8,710.00	\$	-
-----------------------	----	----------	----	---	----	----------	----	----------	----	---

Amount in Arrears:	\$	-	\$	-	\$	-	\$	1,340.00	\$	-
			\$	1,340.00						

Next payment date: 31-Jan-22 (2 ATRASOS)

Refer for MTID on : REFER

Printed On : 14-Jan-22

Prepared by : YANIRA RIVERA CARLO

Note :

Attachment A

FINANCIAL SUMMARY - CASE 19-06358

NELITZA TORRES ORTIZ paying \$670.00 MONTHLY

Receipts	Rpts/Deb Refunds	Disbursements	Adjustments	Trustee Disb	Trustee Adj
----------	------------------	---------------	-------------	--------------	-------------

Show All

Limits: Select Start Date Select Claim ID Select Payee Name Check Status: Cleared Stale Dated Stop Payment Cancelled Voided Out

Date	Payee	Payee Name	Source / Check	Description	Receipts	Dis
1/3/2022	17	ORIENTAL BANK	6289100	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS		
1/3/2022	22	ORIENTAL BANK	6289100	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS		
12/9/2021				EPAY-Regular Plan Payment		\$670.00
12/9/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT		
12/1/2021	17	ORIENTAL BANK	6288846	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS		
12/1/2021	22	ORIENTAL BANK	6288846	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS		
11/1/2021	17	ORIENTAL BANK	6288590	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS		
11/1/2021	22	ORIENTAL BANK	6288590	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS		
10/28/2021				EPAY-Regular Plan Payment		\$670.00
10/28/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT		
10/22/2021				EPay NSF Linking		(\$670.00)
10/22/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT REVERSAL		
10/20/2021				EPAY-Regular Plan Payment		\$670.00
10/20/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT		
10/19/2021				EPAY-Regular Plan Payment		\$670.00
10/19/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT		
9/1/2021	17	ORIENTAL BANK	6288013	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS		
9/1/2021	22	ORIENTAL BANK	6288013	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS		
8/4/2021				EPAY-Regular Plan Payment		\$670.00
8/4/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT		
8/3/2021				EPAY-Regular Plan Payment		\$670.00
8/3/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT		
7/27/2021				EPay NSF Linking		(\$670.00)
7/27/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT REVERSAL		
7/23/2021				EPAY-Regular Plan Payment		\$670.00
7/23/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT		
7/1/2021	17	ORIENTAL BANK	6287526	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS		
7/1/2021	22	ORIENTAL BANK	6287526	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS		
6/1/2021				EPAY-Regular Plan Payment		\$670.00

6/1/2021	17	ORIENTAL BANK	6287211	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS	
6/1/2021	22	ORIENTAL BANK	6287211	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS	
6/1/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT	
5/4/2021	17	ORIENTAL BANK	6286936	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS	
5/4/2021	22	ORIENTAL BANK	6286936	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS	
5/3/2021				EPAY-Regular Plan Payment	\$670.00
5/3/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT	
4/5/2021	17	ORIENTAL BANK	6286659	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS	
4/5/2021	22	ORIENTAL BANK	6286659	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS	
3/31/2021				EPAY-Regular Plan Payment	\$670.00
3/31/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT	
3/2/2021	17	ORIENTAL BANK	6286413	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS	
3/2/2021	22	ORIENTAL BANK	6286413	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS	
3/1/2021				EPAY-Regular Plan Payment	\$670.00
3/1/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT	
2/1/2021				EPAY-Regular Plan Payment	\$670.00
2/1/2021	17	ORIENTAL BANK	6286161	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS	
2/1/2021	22	ORIENTAL BANK	6286161	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS	
2/1/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT	
1/11/2021				EPAY-Regular Plan Payment	\$670.00
1/11/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT	
1/5/2021				EPay NSF Linking	(\$670.00)
1/5/2021		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT REVERSAL	
1/4/2021	17	ORIENTAL BANK	6285894	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS	
1/4/2021	22	ORIENTAL BANK	6285894	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS	
12/31/2020				EPAY-Regular Plan Payment	\$670.00
12/31/2020		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT	
12/1/2020				EPAY-Regular Plan Payment	\$670.00
12/1/2020	0	ROBERTO FIGUEROA CARRASQUILLO*	6285748	ATTORNEY FEE - MONTHLY DISBURSEMENTS	
12/1/2020	17	ORIENTAL BANK	6285647	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS	
12/1/2020	22	ORIENTAL BANK	6285647	CREDITOR PAYMENT (PRINCIPAL) - MONTHLY DISBURSEMENTS	
12/1/2020		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT	
10/29/2020				EPAY-Regular Plan Payment	\$670.00
10/29/2020		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT	
9/28/2020				EPAY-Regular Plan Payment	\$529.00
9/28/2020		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT	
9/4/2020				EPAY-Regular Plan Payment	\$529.00
9/4/2020		JOSE R. CARRION		TRUSTEE FEE - PLAN RECEIPT	

7/1/2020			06T29	EPay NSF Linking	(\$500.00)
7/1/2020	JOSE R. CARRION			TRUSTEE FEE - PLAN RECEIPT REVERSAL	
6/29/2020			06T29	EPAY-Regular Plan Payment	\$500.00
6/29/2020	JOSE R. CARRION			TRUSTEE FEE - PLAN RECEIPT	
6/3/2020			06L01	EPay NSF Linking	(\$500.00)
6/3/2020	JOSE R. CARRION			TRUSTEE FEE - PLAN RECEIPT REVERSAL	
5/29/2020			06L01	EPAY-Regular Plan Payment	\$500.00
5/29/2020	JOSE R. CARRION			TRUSTEE FEE - PLAN RECEIPT	
4/29/2020			04L30	EPAY-Regular Plan Payment	\$500.00
4/29/2020	JOSE R. CARRION			TRUSTEE FEE - PLAN RECEIPT	
4/1/2020			04L01	EPay - Returned	(\$500.00)
4/1/2020	JOSE R. CARRION			TRUSTEE FEE - PLAN RECEIPT	
3/30/2020			03L30	EPAY-Regular Plan Payment	\$500.00
3/30/2020	JOSE R. CARRION			TRUSTEE FEE - PLAN RECEIPT	
3/2/2020			03M03 BSS EPAY #3929	EPAY-Regular Plan Payment	\$500.00
3/2/2020	JOSE R. CARRION			TRUSTEE FEE - PLAN RECEIPT	
2/18/2020				EPAY-Regular Plan Payment	\$500.00
2/18/2020	JOSE R. CARRION			TRUSTEE FEE - PLAN RECEIPT	
1/6/2020				EPAY-Regular Plan Payment	\$500.00
1/6/2020	JOSE R. CARRION			TRUSTEE FEE - PLAN RECEIPT	
12/18/2019				EPay NSF Linking	(\$500.00)
12/18/2019	JOSE R. CARRION			TRUSTEE FEE - PLAN RECEIPT REVERSAL	
12/17/2019				EPAY-Regular Plan Payment	\$500.00
12/17/2019	JOSE R. CARRION			TRUSTEE FEE - PLAN RECEIPT	
12/16/2019				EPAY-Regular Plan Payment	\$500.00
12/16/2019	JOSE R. CARRION			TRUSTEE FEE - PLAN RECEIPT	
				Totals:	\$12,268.00

Breakdown for Combined Schedules

Period	Date (Month/Year)	Payment Due	Payment Received	Amount Due
1	11/2019	\$500.00		\$500.00
2	12/2019	\$500.00	\$500.00	\$500.00
3	1/2020	\$500.00	\$500.00	\$500.00
4	2/2020	\$500.00	\$500.00	\$500.00
5	3/2020	\$500.00	\$1,000.00	\$0.00
6	4/2020	\$0.00	\$0.00	\$0.00
7	5/2020	\$0.00	\$500.00	(\$500.00)
8	6/2020	\$0.00	\$0.00	(\$500.00)
9	7/2020	\$0.00	(\$500.00)	\$0.00
10	8/2020	\$529.00		\$529.00
11	9/2020	\$529.00	\$1,058.00	\$0.00
12	10/2020	\$670.00	\$670.00	\$0.00
13	11/2020	\$670.00		\$670.00
14	12/2020	\$670.00	\$1,340.00	\$0.00
15	1/2021	\$670.00	\$0.00	\$670.00
16	2/2021	\$670.00	\$670.00	\$670.00
17	3/2021	\$670.00	\$1,340.00	\$0.00
18	4/2021	\$670.00		\$670.00
19	5/2021	\$670.00	\$670.00	\$670.00
20	6/2021	\$670.00	\$670.00	\$670.00
21	7/2021	\$670.00	\$0.00	\$1,340.00
22	8/2021	\$670.00	\$1,340.00	\$670.00
23	9/2021	\$670.00		\$1,340.00
24	10/2021	\$670.00	\$1,340.00	\$670.00
25	11/2021	\$670.00		\$1,340.00
26	12/2021	\$670.00	\$670.00	\$1,340.00
27	1/2022			\$1,340.00

Total Delinquent Amount: \$1,340.00



Status Report Pursuant to Servicemembers Civil Relief Act

SSN: XXX-XX-6996
 Birth Date: Oct-XX-1969
 Last Name: CEDENO COLON
 First Name: EDGARDO
 Middle Name:
 Status As Of: Jan-17-2022
 Certificate ID: 4S8H3XB4FHV02HM

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Michael V. Sorrento

Michael V. Sorrento, Director
 Department of Defense - Manpower Data Center
 400 Gigling Rd.
 Seaside, CA 93955

Attachment B

Label Matrix for local noticing
0104-3
Case 19-06358-MCF13
District of Puerto Rico
Old San Juan
Fri Oct 8 14:46:35 AST 2021

ISLAND PORTFOLIO SERVICES LLC AS SERVICER OF
PO BOX 361110
SAN JUAN, PR 00936-1110

ORIENTAL BANK
CARDONA JIMENEZ LAW OFFICES PSC
PO BOX 9023593
SAN JUAN, PR 00902-3593

POPULAR AUTO
PO BOX 366818
SAN JUAN, PR 00936-6818

SCOTIABANK DE PUERTO RICO
CARDONA JIMENEZ LAW OFFICES, PSC
PO BOX 9023593
SAN JUAN, PR 00902-3593

US Small Business Administration
273 Ponce de Leon Ave., Suite 510
Plaza 273
San Juan, PR 00917-1930 PUERTO RICO

US Bankruptcy Court District of P.R.
Jose V Toledo Fed Bldg & US Courthouse
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

Banco Popular de Puerto Rico
Bankruptcy Department
PO Box 366818
San Juan, PR 00936-6818

Capital One Bank (USA), N.A.
by American InfoSource as agent
PO Box 71083
Charlotte, NC 28272-1083

Capital One Bank USA N
PO Box 965005
Orlando, FL 32896-5005

DEPARTMENT OF TREASURY
BANKRUPTCY SECTION 424 B
PO BOX 9024140
SAN JUAN, PR 00902-4140

Departamento de Hacienda
Bankruptcy Section
235 Ave Arterial Hostos Ste 1504
San Juan, PR 00918-1451

Departamento de Hacienda
PO Box 9024140
San Juan, PR 00902-4140

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Island Finance
PO Box 71504
San Juan, PR 00936-8604

(p)JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

Merchant Advance LLC
1621 Central Avenue
Cheyenne WY 82001-4531

Money Express
PO Box 9146
San Juan, PR 00908-0146

ORIENTAL BANK - MORTGAGE DIVISION
CARDONA JIMENEZ LAW OFFICES, PSC
PO BOX 9023593
SAN JUAN, PR 00902-3593

POPULAR AUTO
BANKRUPTCY DEPARTMENT
PO BOX 366818
SAN JUAN PUERTO RICO 00936-6818

PRESTAMAS
CONSUMER SERVICE CENTER
BANKRUPTCY DIVISION (CODE 248)
PO BOX 9146
SAN JUAN PR 00908-0146

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Prestamas
PO Box 11890
San Juan, PR 00922-1890

SBA US Small Business Administration
PO Box 3918
Portland, OR 97208-3918

SCOTIABANK DE PUERTO RICO
CARDONA JIMENEZ LAW OFFICE, PSC
PO BOX 9023593
SAN JUAN, PR 00902-3593

Scotiabank de Puerto Rico
PO Box 363368
San Juan, PR 00936-3368

Syncb/empresas Berrios
PO Box 965036
Orlando, FL 32896-5036

Syncb/tjx Cos
PO Box 965015
Orlando, FL 32896-5015

Synchrony Bank
c/o of PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

Thd/Cbna
PO Box 6497
Sioux Falls, SD 57117-6497

JOSE RAMON CARRION MORALES
PO BOX 9023884
SAN JUAN, PR 00902-3884

MONSITA LECAROS ARRIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901

NELITZA TORRES ORTIZ
5 MUNOZ RIVERA STREET
CIDRA, PR 00739-3452

ROBERTO FIGUEROA CARRASQUILLO
PO BOX 186
CAGUAS, PR 00726-0186

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Internal Revenue Service
PO Box 21126
Philadelphia, PA 19114-0326

Jefferson Capital Systems LLC
Po Box 7999
Saint Cloud Mn 56302-9617

Portfolio Recovery Associates, LLC
POB 12914
Norfolk VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d) ISLAND PORTFOLIO SERVICES LLC AS SERVICER
PO BOX 361110
SAN JUAN, PR 00936-1110

End of Label Matrix	
Mailable recipients	33
Bypassed recipients	1
Total	34